



TESTIMONY OF ATTORNEY DEBORAH G. STEVENSON

AGAINST S.B. 352 AND H.B. 5433

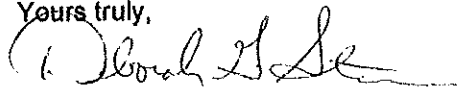
I am Chief Counsel for We the People of Connecticut, Inc., a statewide non-profit, non-political, non-partisan organization whose primary purpose is to defend the Constitution against violations by government officials of any kind of any political party. I am here today to strongly urge you to VOTE NO against S.B. 352, An Act Creating a Process for Family Child Care Providers to Collectively Bargain with the State, and H.S. 5433, An Act Creating a Procedure for Personal Care Attendants to Collectively Bargain with the State.

We oppose these bills primarily because they directly result from the recommendations of the working groups established by Governor Malloy when he issued Executive Orders Nine and Ten. In issuing those Executive Orders, the Governor overstepped the limited authority granted to him pursuant to Article Second and Article Fourth of the Connecticut Constitution. Under those provisions, the Governor's duty is to "faithfully execute" the laws that this legislature adopts. The Constitution grants to NO Governor the power to usurp the law making authority of this General Assembly. In fact, we have filed a lawsuit against the Governor for violating those sections of the Connecticut Constitution in issuing Executive Orders Nine and Ten, and we have asked the court to declare the Orders, and all matters flowing therefrom, to be declared null and void. Because these bills are a direct result of those Orders, they should be resoundingly defeated, if for no other reason than to send a clear message to the Governor, that the legislature will not tolerate having its authority usurped.

While this Committee, and the General Assembly, do have the authority to adopt laws, these laws should not be adopted at this particular time. Not only was the issuance of the Executive Orders unconstitutional, but also the procedures put in place by those Orders to elect union representation also were unconstitutional. Giving just one example: when members of the group that is to be represented by the union are not given any opportunity to vote as to whether or not they want to join that union, those members have been disenfranchised yet compelled to become members of that union. That procedure violates their Constitutional right to due process under the Fourteenth Amendment to the U.S. Constitution, and, therefore is akin to slavery. By voting to approve these bills, you will be allowing the victor of that wholly improper election procedure to be recognized by the State and to continue its representation of people who never had the right to vote for that representation.

If the legislature wants to allow collective bargaining for these two groups, it must disavow itself of the taint of impropriety, reject SB 352 AND HB5433, and wait for another day, after a court determines the legality of the procedures that already have taken place. Please do the right thing and reject these bills. Tell the Governor he must follow the rule of law.

Yours truly,


Deborah G. Stevenson